

REMARKS

Applicants wish to thank the Examiner for indicating that the subject matter of claims 37 and 38 is allowable.

Claims 1-4, 7-11, 12, 14, 15, 17, 19, 21, 24-26, 27-30, 33-36 and 39-48 were rejected under 35 U.S.C. §102(e) as being anticipated by Jakobsson et al. ("Jakobsson"). Claims 5, 13, 16, 20, 22, 23, 31 and 32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jakobsson combined with the Examiner's Official Notice. In addition, the Examiner indicated that claims 6 and 18 would be allowable if rewritten in independent form to include all of the features of its base claim and any intervening claims.

The Rejections Based on Sections 102

Applicants note that rejected claims 2-4, 7-11, 14, 15, 17, 19 and 21 now depend on new claim 49 or 50 which, in turn, are drawn to subject matter the Examiner has indicated as allowable. As such, Applicants respectfully submit that these claims are in condition for allowance.

Turning now to claims 1, 12, 24-26, 27-30, 33-36 and 39-48, Applicants respectfully traverse the §102 rejections for at least the following reasons.

The present invention is directed at methods and devices for switching among wireless audio sources which comprises, among other things, the selection of one of a plurality of audio signals for output, where the selection is

carried out according to at least one stored selection instruction which specifies a designated triggering event that triggers the selection.

Jakobsson does not disclose the selection of one of a plurality of input audio signals according to at least one stored selection instruction which specifies a designated triggering event, as in the claims of the present invention. Instead, Jakobsson discloses “messages” which appear to include audio signals, that may be ignored by one or more devices when a “network descriptor” is different from a network descriptor related to a piconet which contains the devices (see paragraphs 18 and 19 of Jakobsson). This network descriptor is described as being a Channel Access Code (see paragraph 4 of Jakobsson).

Jakobsson does not disclose that these messages are, or can be, used to select one of a plurality of signals based on a triggering event. Instead, these messages are used to authorize a device to receive one, or all, of any number of audio signals so long as the message contains an appropriate network descriptor without regard to a triggering event.

As such, Jakobsson does not disclose each and every element of the claimed inventions and therefore cannot anticipate the subject matter of claims 1, 12, 24-26, 27-30, 33-36 and 39-48.

The Section 103 Rejections

Initially, applicants note that rejected claims 13, 20, 22 and 23 now depend on new claim 49 or 50 which, in turn, are drawn to subject matter the Examiner has indicated as allowable. As such, applicants respectfully submit that these claims are in condition for allowance.

Turning now to claims 2, 16, 31 and 32, applicants respectfully traverse the §103 rejections for at least the following reasons.

There is no suggestion in Jakobsson that the messages or network descriptors can be used to select one of a plurality of input audio signals using a designated triggering event that includes: (a) a particular date and time (claim 5); (b) a chronological event (claims 16 and 32); or (c) a receipt of a message via an electronic messaging service (claim 31) as in claims 5, 16, 31 or 32 of the present invention.

Jakobsson's main concern is ensuring that devices operating in one piconet do not interfere with devices operating in a second piconet. Jakobsson achieves this by assigning a specific network descriptor to each piconet. Jakobsson is wholly unconcerned with the selection of a particular audio signal from a plurality of audio signals based on a specific type of triggering event, as in claims 5, 16, 31 and 32 of the present invention.

In sum, claims 5, 16, 31 and 32 would not have been obvious to one of ordinary skill in the art upon reading the disclosure of Jakobsson.

In sum, applicants respectfully request withdrawal of the pending rejections and allowance of claims 1-50.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

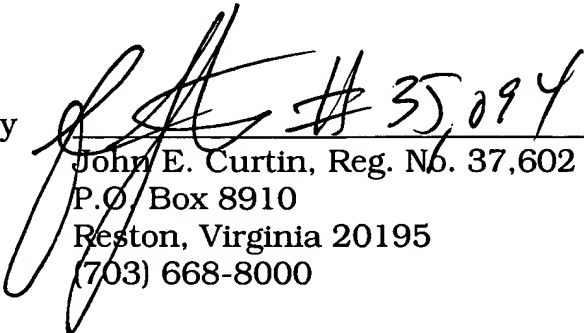
In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

 # 35,094

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